

AS

Notice of Allowability	Application No.	Applicant(s)	
	09/980,774	ROMANENKO ET AL.	
	Examiner	Art Unit	
	Patricia L. Hailey	1755	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed on November 17, 2003.
2. ☒ The allowed claim(s) is/are 19-29 and 31-37.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


Mark L. Bell
Supervisory Patent Examiner
Technology Center 1700

Art Unit: 1755

Applicants' remarks and amendments, filed on November 17, 2003, have been carefully considered. In this amendment, claim 30 has been canceled and new claim 37 has been added.

Claims 19-29 and 31-37 are now pending in this application.

Support for new claim 37 can be found in the Specification at page 1, lines 16-25; page 8, lines 18-27; and in Examples 36-39.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Applicants' Priority Document was filed on October 24, 2001.

Withdrawn Objections and Rejections

The objection to claims 35 and 36 stated in the previous Office Action has been withdrawn in view of Applicants' amendments to these claims.

The 112(2) rejection of claims 30-36 stated in the previous Office Action have been withdrawn in view of Applicants' cancellation of claim 30 and the addition of new claim 37.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

On page 17 of the Specification, at line 18, please delete the word "stilling" and insert therefor the word - stirring--.

This correction has been made to correct a grammatical/spelling error.

Allowable Subject Matter

3. Claims 19-29 and 31-37 are allowed.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

The prior art does not teach or suggest the claimed catalyst composition comprising crystallites of palladium or palladium and at least one Group VIII metal, applied to the surface of a carbon material, wherein the carbon material has the specific properties recited in claim 19, and wherein the crystallites are distributed in the carbon material in such a manner that the distribution peaks of the crystallites should be at a distance from the outer surface of the granule of the carbon material corresponding to 1 to 30% of the granule's radius.

White (U. S. Patent No. 5,723,659) teaches a process for purifying impure aromatic polycarboxylic acids produced by the catalytic oxidation of polyalkylaromatic hydrocarbons, said process comprising contacting the impure acid with hydrogen and at least one hydrogenation catalyst, wherein the catalyst has a water-insoluble and non-brittle coating of at least one polymeric material. The catalyst is typically Group VIII noble metals (ruthenium, rhodium, palladium, etc.), and may include carbons and charcoals as supports. See col. 3, lines 6-58. This reference does not teach or suggest the claim limitations regarding the carbon material (average mesopore size, etc.), as recited in claim 19.

Puskas et al. (U. S. Patent No. 4,476,242), is parent to U. S. Patent No. 4,791,226, which was cited by Applicants.

Puskas et al. (U. S. Patent No. 4,476,110) is a divisional of U. S. Patent No. 4,394,299, which was also cited by Applicants.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

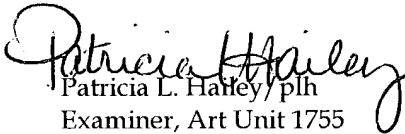
Art Unit: 1755


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L. Hailey whose telephone number is (571) 272-1369. The examiner can normally be reached on Mondays-Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark L. Bell can be reached on (571) 272-1362. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Patricia L. Hailey/plh
Examiner, Art Unit 1755
February 2, 2004


Mark L. Bell
Supervisory Patent Examiner
Technology Center 1700